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PART II—Section 2

Bills and Reports of Select Committees on Bills

PARLIAMENT OF INDIA

The following Report of the Select Committee on the Bill to promote "Go-samvardhana" and for matters connected therewith, was presented to Parliament on the 15th February, 1952:—

REPORT OF THE SELECT COMMITTEE

We, the undersigned members of the Select Committee, to which the Bill to promote Go-Samavardhan and for matters connected therewith was referred, have considered the Bill and have now the honour to submit this Report.

2. The Bill extends to Part C States only. During the course of the discussion of the Bill in the Committee, the Government of Part C States Act, 1951 was enacted by Parliament under which every Part C State (other than the border States of Kutch, Manipur and Tripura) will shortly have a legislature of its own. We feel that on the subject-matter of the Bill, it would be more appropriate if every Part C State enacts a law of its own. If found necessary later the Parliament may consider the possibility of fresh legislation. We accordingly feel that no useful purpose will be served by proceeding with this Bill at this stage.

8. The Bill was published in Part II, Section 2 of the *Gazette of India* dated the 9th May 1951.

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NEW DELHI;

The 15th February, 1952.

(As CONSIDERED BY THE SELECT COMMITTEE)

BILL No. 47 of 1951

A Bill to promote "Go-samvardhana" and for matters connected therewith.

BE it enacted by Parliament as follows:—

*Preliminary***1. Short title, extent and commencement.**—(1) This Act may be called the Go-samvardhan Act, 1951.

(2) It extends to all Part C States.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "bovine cattle" means cows, bulls and bullocks and includes their young ones;

(b) "Central Council" means the Central Council of Go-samvardhana constituted under section 8;

(c) "donor" means a person who, after the commencement of this Act, donates a sum of money to a registered goshala, or the Fund;

(d) "Fund" means the Go-samvardhan Fund established under section 10;

(e) "godan" means any property dedicated, donated, or earmarked for the preservation, protection or improvement of bovine cattle, whether such property is vested in a trustee or not;

(f) "Go-samvardhana" means the preservation, protection or improvement of, or the prevention of cruelty to, bovine cattle;

(g) "goshala" means a charitable institution established for the preservation, protection or improvement of bovine cattle, and includes a gosadan, a pinjrapole or any other similar institution wherein infirm, aged, diseased or unproductive bovine cattle are kept;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "registered goshala" means a goshala registered under this Act;

(j) "State" means a Part C State;

(k) "State Council" means a Council constituted under section 6;

(l) "trustee" means a person who is in charge of the administration of a goshala and the properties belonging thereto, and includes the manager of a goshala.

*The Central Council of Go-samvardhana***3. Constitution of the Central Council.**—(1) The Central Government may, by notification in the Official Gazette, constitute a Council to be called the Central Council of Go-samvardhana.

(2) The Central Council shall consist of such number of persons and shall be constituted in such manner as may be prescribed.

(3) The Central Council constituted as aforesaid shall be a body corporate known by the name aforesaid, having perpetual succession and a common seal, with power to acquire, receive, hold and dispose of property, both movable and immovable and to contract, and shall by the said name sue and be sued.

4. Functions of the Central Council.—(1) Subject to any rules that may be made under this Act, it shall be the duty of the Central Council to take such measures as, in its opinion, may be necessary for Go-samvardhana.

(2) The Central Council may make regulations for carrying out any of its duties under sub-section (1), and, without prejudice to the generality of that power, any such regulations may provide for—

(a) the establishment and maintenance of goshalas;

(b) the prevention of slaughter of useful and productive bovine cattle;

(c) the establishment of veterinary and breeding centres for bovine cattle;

(d) the prevention of the extension from one State to another of infectious or contagious diseases affecting bovine cattle;

(e) the collection of statistics in relation to any of the matters referred to in this section;

(f) the carrying on of propaganda in relation to any of the aforesaid matters; and

(g) such other matters as may be prescribed.

(3) Any regulation made by the Central Council under this section may provide—

(a) that any of the functions of the Central Council may be performed by State Councils generally or in relation to any State by the State Council for that State;

(b) that a contravention thereof shall be punishable with fine which may extend to one hundred rupees or with imprisonment which may extend to one month or with both.

(4) The power to make regulations conferred upon the Central Council under this section shall be subject to the condition of previous publication, and no such regulation shall take effect until it has been approved by the Central Government and published in the Official Gazette.

5. Vacancies etc., in Central Council not to invalidate acts and proceedings.—No act done or proceedings taken under this Act shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Central Council.

State Council

6. Constitution and functions of State Councils.—(1) The Central Government may, by notification in the Official Gazette, constitute for each State a State Council.

(2) The State Council shall consist of such number of persons and shall be constituted in such manner as may be prescribed:

Provided that due provision shall be made in any rules made in this behalf for the election of not less than two persons to represent the registered goshalas in the State.

(3) Subject to the general superintendence and control of the Central Council, a State Council shall perform such functions as may be prescribed.

Registration of goshalas

7. Goshalas to be registered.—(1) It shall be the duty of every trustee of a goshala to have the goshala of which he is a trustee registered under this Act.

(2) Every application for the registration of a goshala shall be made in writing to such officer and in such form and shall be accompanied by such fee as may be prescribed.

(3) The application shall—

(a) in the case of a goshala established before the commencement of this Act, be made within six months of such commencement; and

(b) in the case of a goshala established after the commencement of this Act, within six months of such establishment.

(4) The application shall be signed and verified in the prescribed manner by the trustee or his agent specially authorised by him in this behalf and shall be accompanied by a copy of the instrument of trust, if any.

8. Power to Compel registration.—Where a goshala requiring to be registered under this Act has not been so registered, the prescribed officer may, either on his own motion or on the application of any person interested in the goshala, cause a notice to be served on the trustee of the goshala to have the goshala registered under this Act within such time as may be specified in the notice.

9. Inquiry and making of entries in the register.—(1) On receipt of an application under section 7 or section 8, the prescribed officer of the State Council within the limits of whose jurisdiction the goshala is situated shall make such inquiry as may be prescribed for the purpose of verifying the correctness of any of the particulars that have been furnished or for the purpose of obtaining such further information as he may require, and thereafter make such entries in relation to the goshala as may be prescribed in a register to be called the "Register of Goshalas" kept for the purpose.

(2) The entries so made shall, subject to the other provisions contained in this Act and the rules made thereunder, be final and conclusive as respects the matters contained therein.

Establishment of the Go-samvardhan Fund

10. The Go-samvardhan Fund.—(1) There shall be established a Fund to be called the Go-samvardhan Fund which shall vest in the Central Council.

(2) The following sums shall be credited to the Fund, namely:—

- (a) any sums received from the Central Government;
- (b) any private donations made to the Central or a State Council;
- (c) the proceeds of the cess levied on the sale of bovine cattle under this Act;
- (d) the registration and other fees leviable under this Act.

11. Application and investment of the Fund.—(1) The Fund shall be applied towards meeting the expenses of the Central Council and the State Councils, if any, and the cost of the measures referred to in section 4.

(2) The Fund shall be invested in such manner as may be prescribed.

12. Grants from the Fund.—The Central Council may from time to time make such grants from the Fund to the State Councils as may be necessary to enable them to discharge their functions under this Act.

Cess on sale of bovine cattle

13. Levy of cess on sale of bovine cattle.—(1) There shall be levied a cess at such rate as may be prescribed on the sale in any fair, market, or other public place of bovine cattle.

(2) Nothing in this section shall affect the levy of any cess or tax on the sale of bovine cattle under any other law for the time being in force.

14. Power of officers of State Council to visit public places where bovine cattle are sold.—The chief executive officer of a State Council or such other person as may be authorised by him in this behalf may visit any cattle fair, market or other public place where bovine cattle are sold for the purpose of determining or recovering the cess levied under section 13.

15. Recovery of cess.—Subject to any rules that may be made under this Act, any cess leviable under section 13 may be recovered in the same manner as an arrear of land revenue.

16. Proceeds of cess to be credited to the Fund.—The proceeds of the cess levied under section 13 shall, after deducting the expenses, if any, relating to the collection and recovery thereof, be paid to the Central Council and the Central Council shall credit the said proceeds to the Fund.

17. Disputes about cess.—If any question arises whether a cess is payable under this Act, it shall be referred to the Central Government or such officer or authority as the Central Government may appoint in this behalf, and the decision thereon of the Central Government or the officer or authority, as the case may be, shall be final.

Penalties and procedure

18. Penalties.—Any trustee who fails to comply with the provision contained in sub-section (1) of section 7, or with any notice served on him under section 8 shall be punishable with fine which may extend to five hundred rupees.

19. Cognizance of offences.—(1) No prosecution under this Act shall be instituted except on the complaint in writing of such authority as the Central Government may specify in this behalf.

(2) No court inferior to that of a magistrate of the second class shall try any offence under this Act.

Miscellaneous

20. Inspection of goshalas.—Such officer of a State Council as may be authorised by it in this behalf may enter into and inspect any goshala or any place appertaining thereto for the purpose of satisfying himself whether the provisions of this Act and the rules made thereunder are being complied with.

21. Officers holding inquiries to have powers of civil court.—Every officer holding an inquiry under this Act, or the rules made thereunder, shall have and may exercise the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (Act V of 1908), when trying a suit in respect of the following matters.—

- (a) discovery and inspection;
- (b) enforcing the attendance of witnesses;
- (c) compelling the production of documents and impounding the same;
- (d) examining witnesses on oath;
- (e) reception of evidence on affidavits;
- (f) issuing commissions for the examination of witnesses;

and shall be deemed to be a civil court within the meaning of section 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

22. Bar of jurisdiction.—Save as otherwise expressly provided in this Act, or the rules made thereunder, no civil court shall have jurisdiction in respect of any matter which any authority is empowered by or under this Act, to determine.

23. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Council or a State Council or any member or officer thereof or anything which is in good faith done or intended to be done under this Act.

24. Effect of inconsistent provisions.—The provisions of this Act and any rule made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

25. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the constitution of the Central Council and the term of office of its members;
- (b) the appointment of the Chairman and Vice-Chairman of the Central Council, and the co-option of members thereto;
- (c) the appointment of an Executive Committee to function as the executive authority of the Central Council, and the constitution, powers and functions of the Executive Committee;

(d) the appointment of members of the staff of the Central Council, and their terms and conditions of service;

(e) the powers and duties of the Chairman, Vice-Chairman and employees of the Central Council;

(f) the time and place of meetings of the Central Council and the Executive Committee and the procedure to be adopted thereat;

(g) the preparation and submission to the Central Government of periodical statements of the estimated receipts and expenditure of the Central Council, and the time within which, and the manner in which, the accounts of the Central Council shall be audited;

(h) the books of accounts to be maintained by the Central Council;

(i) the constitution and functions of State Councils, the terms of office of members thereof, the appointment of members of the staff of State Councils and their terms and conditions of service;

(j) the rate, incidence and manner of collection of the cess on the sale of bovine cattle;

(k) the form in which applications for registration of goshalas shall be made and the fees payable in respect of such applications;

(l) the form and manner in which any inquiry under this Act may be made;

(m) the inspection of goshalas;

(n) the form of the Register of Goshalas, the entries to be made therein, and the cases and circumstances in which applications for amendments of the entries shall be made by any person concerned;

(o) the maintenance of accounts by the trustees of a registered goshala and the audit of such accounts;

(p) the cases in which appeals may be preferred under this Act and the authorities to which, the form in which and the time within which, any such appeal may be preferred, and the fees which may be levied on any such appeal;

(q) the powers of control and superintendence which may be exercised by the Central Council over State Councils;

(r) any other matter which has to be or may be prescribed under this Act.

(3) A rule made under this section may provide that a contravention thereof shall be punishable with imprisonment which may extend to one month or with fine which may extend to one hundred rupees, or with both.

The following Report of the Select Committee on the Bill to provide for the requisitioning and acquisition of immovable property for the purposes of the Union, was presented to Parliament on the 19th February, 1952 —

REPORT OF THE SELECT COMMITTEE.

We, the undersigned, members of the Select Committee to which the Bill to provide for the requisitioning and acquisition of immovable property for the purpose of the Union was referred, have considered the Bill and have now the honour to submit this our report, with the Bill as amended by us annexed thereto.

Upon the changes proposed by us, we note as follows:—

Clause 1.—We are of opinion that this Act should not be a permanent measure and that the life of the Act should be limited to six years only.

We further feel that in respect of residential accommodation already under requisition for periods exceeding six years, every effort should be made to derequisition them, if they are *bona fide* required for the residence of the owner, as early as possible, preferably within a period of three years.

Clause 3.—We consider that where a competent authority issues a notice of requisition, he should state in the notice the purpose for which the property is requisitioned. We have amended part (a) of sub clause (1) accordingly.

We are also of opinion that where the owner of any premises is *bona fide* using the premises as the residence of himself or his family, such premises should not be requisitioned.

We also think that any property which is being used as a public library or for the purpose of accommodation of persons connected with the management of any place of religious worship or a school, hospital, public library or orphanage should be exempt from requisition. We have accordingly substituted a new proviso for the existing proviso to sub-clause (2).

We further think that where any premises are requisitioned, the competent authority should find some accommodation for the evicted persons. We have amended the clause accordingly.

Clause 4.—We consider that the period of "ten days" given under sub-clause (1) for vacating any property is too short. We have enhanced the period to thirty days and sub-clause (1) has accordingly been amended.

Clause 5.—We are of opinion that a requisitioned property should be used for the purpose for which it was requisitioned. We have amended sub-clause (1) accordingly.

We have made a slight drafting change in sub-clause (2) to provide that the competent authority should give reasonable time to a landlord to make the repairs.

Clause 6.—We are of opinion that when the purpose for which the requisitioned property was being used ceases to exist, the property should be released from requisition, unless it is acquired under clause 7. We have accordingly added a proviso to sub-clause (1).

We further think that when any property is released from requisition, possession should generally be given over to the person from whom possession was taken at the time of requisition. We have amended sub-clause (2) accordingly.

We have made a slight drafting change in the proviso to sub-clause (6).

Clause 7.—While we are not suggesting any amendment to this clause, we feel that where any property which was in the possession of tenants is requisitioned and such requisitioned property is thereafter acquired and where the Government subsequently desires to lease out such acquired property, we recommend that in granting such leases, preference should be given to the evicted tenants and that necessary instructions may be issued in this behalf by the Government.

Clause 9.—We consider that the arbitrator should specify in the award the time within which the compensation should be paid. This clause has accordingly been amended.

Clause 10.—Under this clause, the period of limitation has been fixed at ten days from the date of the order. This period appears to be too short and we have enhanced it to twenty-one days. Sub-clause (1) has accordingly been amended.

We also think that when the Central Government hears an appeal, it should give an opportunity to the parties of being heard. Sub-clause (2) has accordingly been changed.

Clause 17.—We consider that when the Central Government delegates its powers to any officer it should be done by a notification in the Official Gazette and such notifications should be laid before Parliament. We have accordingly amended clause 17.

Clause 22.—We consider that all rules made under this section should be laid before Parliament as soon as possible. We have accordingly inserted a new sub-clause (3).

Clause 23.—Under the existing clause 23, certain requisitions made by the State Government for the purposes of the Central Government have been validated. We consider that certain acquisitions also which have been made by a State Government for the purposes of the Union should be validated. We have accordingly inserted a new sub-clause (2) in this clause.

2. The Bill was published in the *Gazette of India*, Part II, Section 2, dated 16th February, 1952.

3. We think that the Bill has not been so altered as to require circulation under rule 77(4) of the Rules of Procedure and Conduct of Business in Parliament, and we recommend that it be passed as now amended.

N. V. GADGIL.
S. N. BURAGOHAIN.
H. N. KUNZRU.
S. M. GHOSE.
SHREENARAYAN DAS.
UMA NEHRU.
NAZIRUDDIN AHMAD.
JASPAT ROY KAPOOR.
ARUN CHANDRA GUHA.
P. S. DESHMUKH.
B. PATTABHI SITARAMAYYA.
B. SHIVA RAO.

NEW DELHI;

The 19th February, 1952

(AS AMENDED BY THE SELECT COMMITTEE)

(Words *italicized* or *underlined* indicate the amendments suggested by the Committee; *asterisks* indicate omissions.)

BILL No. 9 OF 1952

A Bill to provide for the requisitioning and acquisition of immovable property for the purposes of the Union.

Enacted by Parliament as follows:—

1. **Short title, extent and duration.**—(1) This Act may be called the Requisitioning and Acquisition of Immovable Property Act, 1952.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall remain in force for a period of six years from the date of the commencement of this Act.

2. **Definitions.**—In this Act, unless the context otherwise requires,—

(a) “award” means any award of an arbitrator made under section 8;

(b) “competent authority” means any person or authority authorised by the Central Government, by notification in the Official Gazette, to perform the functions of the competent authority under this Act for such area as may be specified in the notification;

(c) “landlord” means any person who for the time being is receiving, or is entitled to receive, the rent of any premises, whether on his own account, or on account or on behalf or for the benefit, of any other person or as a trustee, guardian or receiver for any other person, or who would so receive the rent or be entitled to receive the rent if the premises were let to a tenant;

(d) the expression “person interested”, in relation to any property, includes all persons claiming, or entitled to claim, an interest in the compensation payable on account of the requisitioning or acquisition of that property under this Act;

(e) “premises” means any building or part of a building and includes—

(i) the garden, grounds and outhouses, if any, appertaining to such building or part of a building;

(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

(f) “prescribed” means prescribed by rules made under this Act;

(g) “property” means immovable property of every kind and includes any rights in or over such property;

(h) “tenant” means any person by whom or on whose account rent is payable for any premises and includes such sub-tenants and other persons as have derived title under the tenant under any law for the time being in force.

3. Power to requisition immovable property.—(1) Where the competent authority is of opinion that any property is needed or likely to be needed for any public purpose, being a purpose of the Union, and that the property should be requisitioned, the competent authority—

(a) shall call upon the owner or any other person who may be in possession of the property by notice in writing (specifying therein the purpose of the requisition) to show cause, within fifteen days of the date of the service of such notice on him, why the property should not be requisitioned; and

(b) may, by order, direct that neither the owner of the property nor any other person shall, without permission of the competent authority, dispose of, or structurally alter, the property or let it out to a tenant until the expiry of such period, not exceeding two months, as may be specified in the order.

(2) If, after considering the cause, if any, shown by any person interested in the property or in possession thereof, the competent authority is satisfied that it is necessary or expedient so to do, it may, by order in writing, requisition the property and may make such further orders as appear to it to be necessary or expedient in connection with the requisitioning:

Provided that no property or part thereof—

(a) which is *bona fide* used by the owner thereof as the residence of himself or his family, or

(b) which is exclusively used either for religious worship by the public or as a school, hospital, public library or an orphanage or for the purpose of accommodation of persons connected with the management of such place of worship or such school, hospital, library or orphanage, shall be requisitioned:

Provided further that where the requisitioned property consists of premises which are being used as a residence by a tenant for not less than two months immediately preceding the date of the service of notice under sub-section (1), the competent authority shall provide such tenant with alternative accommodation which, in its opinion, is suitable.

4. Power to take possession of requisitioned property.—(1) Where any property has been requisitioned under section 3, the competent authority may, by notice in writing, order the owner as well as any other person who may be in possession of the property to surrender or deliver possession thereof to the competent authority or any person duly authorised by it in this behalf within thirty days of the service of the notice.

(2) If any person refuses or fails to comply with an order made under sub-section (1), the competent authority may take possession of the property and may, for that purpose, use such force as may be necessary.

5. Rights over requisitioned property.—(1) * All property *requisitioned under section 3, shall be used * * * * * for such purposes as may be mentioned in the notice of requisition;

(2) Where any premises are requisitioned under section 3, the competent authority may order the landlord to execute such repairs as may be necessary and are usually made by landlords in that locality and as may be specified in the notice, within such reasonable time as may be mentioned therein, and if the landlord fails to execute any repairs in pursuance of such order, the competent authority may cause the repairs specified in the order to be executed at the expense of the landlord and the cost thereof may, without prejudice to any other mode of recovery, be deducted from the compensation payable to the landlord.

6. Release from requisitioning.—(1) The Central Government may at any time release from requisition any property requisitioned under this Act and shall, as far as possible, restore the property in as good a condition as it was when possession thereof was taken subject only to the changes caused by reasonable wear and tear and irresistible force:

Provided that where the purposes for which any requisitioned property was being used cease to exist, the Central Government shall, unless the property is acquired under section 7, release that property, as soon as may be, from requisition.

(2) Where any property is to be released from requisition, the competent authority may, after such inquiry, if any, as it may in any case consider necessary to make or cause to be made, specify by order in writing the person to whom possession of the property shall be given and such possession shall, as far as practicable, be given to the person from whom possession was taken at the time of the requisition or to the successors-in-interest of such person.

(3) The delivery of possession of the property to the person specified in an order under sub-section (2) shall be a full discharge of the Central Government from all liability in respect of the property, but shall not prejudice any rights in respect of the property which any other person may be entitled by due process of law to enforce against the person to whom possession of the property is given.

(4) Where any person to whom possession of any requisitioned property is to be given is not found and has no agent or other person empowered to accept delivery on his behalf, the competent authority shall cause a notice declaring that the property is released from requisition to be affixed on some conspicuous part of the property and shall also publish the notice in the Official Gazette.

(5) When a notice referred to in sub-section (4) is published in the Official Gazette, the property specified in such notice shall cease to be subject to requisition on and from the date of such publication and shall be deemed to have been delivered to the person entitled to possession thereof and the Central Government shall not be liable for any compensation or other claim in respect of the property for any period after the said date.

(6) Where any property requisitioned under this Act or any material part thereof is wholly destroyed or rendered substantially and permanently

unfit for the purpose for which it was requisitioned by reason of fire, earthquake, tempest, flood or violence of any army or of a mob or other irresistible force, the requisition shall, at the option of the Central Government, be void:

Provided that the benefit of this sub-section shall not be available to the Central Government where the injury to such property is caused by any wrongful act or default of that Government.

7. Power to acquire requisitioned property.—(1) Where any property is subject to requisition, the Central Government may at any time acquire such property by publishing in the Official Gazette a notice to the effect that the Central Government has decided to acquire the property in pursuance of this section.

(2) When a notice as aforesaid is published in the Official Gazette, the requisitioned property shall, on and from the beginning of the day on which the notice is so published, vest absolutely in the Central Government free from all encumbrances and the period of requisition of such property shall end.

(3) No property shall be acquired under this section except in the following circumstances, namely:—

(a) where any works have, during the period of requisition, been constructed on, in or over, the property wholly or partially at the expense of the Central Government and the Government decides that the value of, or the right to use, such works should be secured or preserved for the purposes of Government; or

(b) where the cost of restoring the property to its condition at the time of its requisition would, in the determination of the Central Government, be excessive and the owner declines to accept release from requisition of the property without payment of compensation for so restoring the property.

(4) Any decision or determination of the Central Government under sub-section (3) shall be final and shall not be called in question in any court.

(5) For the purposes of clause (a) of sub-section (3) "works" includes buildings, structures and improvements of every description.

8. Principles and method of determining compensation.—(1) Where any property is requisitioned or acquired under this Act, there shall be paid compensation the amount of which shall be determined in the manner and in accordance with the principles hereinafter set out, that is to say,—

(a) where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement;

(b) where no such agreement can be reached, the Central Government shall appoint as arbitrator a person who is, or has been, or is qualified for appointment as, a Judge of a High Court;

(c) the Central Government may, in any particular case, nominate a person having expert knowledge as to the nature of the property requisitioned or acquired to assist the arbitrator and where such nomination is made, the person to be compensated may also nominate an assessor for the same purpose;

(d) at the commencement of the proceedings before the arbitrator, the Central Government and the person to be compensated shall state what in their respective opinion is a fair amount of compensation;

(e) the arbitrator shall, after hearing the dispute, make an award determining the amount of compensation which appears to him to be just and specifying the person or persons to whom such compensation shall be paid; and in making the award, he shall have regard to the circumstances of each case and the provisions of sub-sections (2) and (3), so far as they are applicable;

(f) where there is any dispute as to the person or persons who are entitled to the compensation, the arbitrator shall decide such dispute and if the arbitrator finds that more persons than one are entitled to compensation, he shall apportion the amount thereof amongst such persons;

(g) nothing in the Arbitration Act, 1940 (X of 1940) shall apply to arbitrations under this section.

(2) The amount of compensation payable for the requisitioning of any property shall consist of—

(a) a recurring payment, in respect of the period of requisition, of a sum equal to the rent which would have been payable for the use and occupation of the property, if it had been taken on lease for that period; and

(b) such sum or sums, if any, as may be found necessary to compensate the person interested for all or any of the following matters, namely:—

(i) pecuniary loss due to requisitioning;

(ii) expenses on account of vacating the requisitioned premises;

(iii) expenses on account of reoccupying the premises upon release from requisition; and

(iv) damages (other than normal wear and tear) caused to the property during the period of requisition, including the expenses that may have to be incurred for restoring the property to the condition in which it was at the time of requisition.

(3) The compensation payable for the acquisition of any property under section 7 shall be—

(a) the price which the requisitioned property would have fetched in the open market, if it had remained in the same condition as it was at the time of requisitioning and been sold on the date of acquisition, or

(b) twice the price which the requisitioned property would have fetched in the open market if it had been sold on the date of requisition, whichever is less.

9. Payment of compensation.—The amount of compensation payable under an award shall, subject to any rules made under this Act, be paid by the competent authority to the person or persons entitled thereto in such manner and within such time as may be specified in the award.

10. Appeals from orders of requisitioning.—(1) Any person aggrieved by an order of requisition made by the competent authority under sub-section (2) of section 3 may, within twenty-one days from the date of service of the order, prefer an appeal to the Central Government:

Provided that the Central Government may entertain the appeal after the expiry of the said period of twenty-one days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the Central Government may, after calling for a report from the competent authority and giving an opportunity to the parties of being heard and after making such further inquiry, if any, as may be necessary, pass such orders as it thinks fit and the order of the Central Government shall be final.

(3) Where an appeal is preferred under sub-section (1), the Central Government may stay the enforcement of the order of the competent authority for such period and on such conditions as it thinks fit.

11. Appeals from awards in respect of compensation.—Any person aggrieved by an award of the arbitrator made under section 8 may, within thirty days from the date of such award, prefer an appeal to the High Court within whose jurisdiction the requisitioned or acquired property is situate:

Provided that the High Court may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

12. Competent authority and arbitrator to have certain powers of civil courts.—The competent authority and the arbitrator appointed under section 8, while holding an inquiry or, as the case may be, arbitration proceedings under this Act, shall have all the powers of a civil court, while trying a suit, under the Code of Civil Procedure, 1908 (Act V of 1908) in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) reception of evidence on affidavits;
- (d) requisitioning any public record from any court or office;
- (e) issuing commissions for examination of witnesses.

13. Power to obtain information.—The Central Government or the competent authority may, with a view to carrying out the purposes of section 3 or section 6, or section 7 or section 8, by order require any person to furnish to such officer, as may be specified in the order, such information in his possession as may be specified relating to any property which is requisitioned or acquired, or intended to be requisitioned or acquired, under this Act.

14. Power to enter and inspect.—The competent authority or any officer, empowered in this behalf by such authority by general or special order, may enter and inspect any property for the purposes of determining whether, and if so, in what manner, an order under this Act should be made in relation to such property or with a view to securing compliance with an order made under this Act.

15. Service of notice and orders.—(1) Subject to the provisions of this section and any rules that may be made under this Act, every notice or order issued or made under this Act shall,—

(a) in the case of any notice or order of a general nature or affecting a class of persons, be published in the Official Gazette; and

(b) in the case of any notice or order affecting an individual corporation or firm, be served in the manner provided for the service of summons in Rule 2 of Order XXIX or Rule 8 of Order XXX, as the case may be, in the First Schedule of the Code of Civil Procedure, 1908 (Act V of 1908); and

(c) in the case of any notice or order affecting an individual person (not being a corporation or firm), be served on such person—

(i) by delivering or tendering it to that person; or

(ii) if it cannot be so delivered or tendered, by delivering or tendering it to any officer of such person or any adult male member of the family of such person, or by affixing a copy thereof on the outer door or on some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain; or

(iii) by post.

(2) Where the ownership of the property is in dispute or where the persons interested in the property are not readily traceable and the notice or order cannot be served without undue delay, the notice or order may be served by publishing it in the Official Gazette, and where possible, by affixing a copy thereof on any conspicuous part of the property to which it relates.

16. Easement not to be disturbed.—No person interested in any property requisitioned or acquired under this Act shall, without the previous written consent of the competent authority or except for the purposes of effecting repairs or complying with a municipal requirement, wilfully disturb any convenience or easement attached to such property or remove, destroy or render unserviceable anything provided for permanent use therewith or discontinue or cause to be discontinued any supply or service provided for the property.

17. Delegation of powers.—(1) The Central Government may, by notification in the Official Gazette, direct that the powers exercisable by it by or under this Act shall, in such circumstances and under such conditions, if any, as may be specified in the notification, be exercisable also by an officer subordinate to that Government or the State Government.

(2) All notifications issued under sub-section (1) shall be laid, as soon as may be, before Parliament.

18. Protection of action taken in good faith.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder.

(2) No suit or other legal proceeding shall lie against the Central Government or the competent authority for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder.

19. Bar of jurisdiction of civil courts.—Save as otherwise expressly provided in this Act, no civil court shall have jurisdiction in respect of any matter which the competent authority or arbitrator is empowered by or under this Act to determine, and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

20. Penalty for offences.—Whoever contravenes any provision of this Act, or any rule made thereunder, or any order made or direction given under this Act, or obstructs the lawful exercise of any power conferred by or under this Act, shall be punishable with fine which may extend to one thousand rupees.

21. Certain persons to be public servants.—The competent authority, every arbitrator and every officer empowered by the Central Government or the competent authority, while exercising any power or performing any duty under this Act, shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Act XLV of 1860).

22. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the procedure to be followed by the competent authority in making inquiries under section 8 or section 6;

(b) the procedure to be followed in arbitration proceedings and appeals under this Act;

(c) levy of court-fee in respect of appeals under section 11;

(d) the principles to be followed in determining the amount of compensation and method of payment of such compensation;

(e) the principles to be followed in apportioning the cost of proceedings before the arbitrator and on appeal under this Act;

(f) the manner of service of notices and orders;

(g) any other matter which has to be, or may be, prescribed.

(3) All rules made under the provisions of this Act shall be laid, as soon as may be, before Parliament.

23. Validation of certain requisitions and acquisition.—(1) All immovable property which purports to have been requisitioned by a State Government for any public purpose, being a purpose of the Union, under any Provincial or State Act and which, immediately before the 25th day of January, 1952 was used or occupied by the Central Government or by an officer or authority subordinate to that Government shall, as from that date, be deemed to be property duly requisitioned under section 3 of this Act, and every such requisition shall, notwithstanding any judgment, decree or order of any court, be deemed always to have been valid as if this Act had been in force on and from the date of the requisition and

the requisition had been duly made by a competent authority under this Act, and all the provisions of this Act shall apply accordingly:

Provided that all agreements and awards for the payment of compensation in respect of any such property for any period of requisition before the 25th day of January, 1952 and in force immediately before that date, shall be valid and shall be deemed always to have been valid and shall continue to be in force and shall apply to the payment of compensation in respect of that property for any period of requisition after that date.

(2) Every acquisition of immovable property purporting to have been made before the commencement of this Act by a State Government for any public purpose, being a purpose of the Union, under any enactment for the time being in force in that State and which, immediately before such commencement, was used or occupied by the Central Government or by an officer or authority subordinate to that Government shall, notwithstanding any defect in, or invalidity of, the enactment or order under which the acquisition was made, be deemed for all purposes to have been validly made as if the provisions of the said enactment or order had been included and enacted in this section and this section had been in force on and from the date of the acquisition.

24. Repeals and savings.—(1) The Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947), the Delhi Premises (Requisition and Eviction) Act, 1947 (XLIX of 1947) and the Requisitioning and Acquisition of Immovable Property Ordinance, 1952 (III of 1952) are hereby repealed.

(2) For the removal of doubts, it is hereby declared that any property which immediately before such repeal was subject to requisition under the provisions of either of the said Acts or the said Ordinance shall, on the commencement of this Act, be deemed to be property requisitioned under section 3 of this Act, and all the provisions of this Act shall apply accordingly:

Provided that—

(a) all agreements and awards for the payment of compensation in respect of any such property for any period of requisition before the commencement of this Act and in force immediately before such commencement, shall continue to be in force and shall apply to the payment of compensation in respect of that property for any period of requisition after such commencement;

(b) anything done or any action taken (including any orders, notifications or rules made or issued) in exercise of the powers conferred by or under either of the said Acts or the said Ordinance shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force on the day on which such thing was done or action was taken.

25. Amendment of Act XXVII of 1950.—The following amendments shall be made in the Government Premises (Eviction) Act, 1950, namely:—

(1) In sub-section (2) of section 1, for the words "the States of Jammu and Kashmir and Delhi", the words "the State of Jammu and Kashmir" shall be substituted.

(2) For clause (b) of section 2, the following clause shall be substituted, namely:—

“(b) ‘Government premises’ means any premises or land belonging to, or taken on lease or requisitioned by, the Central Government or requisitioned by the competent authority under the Requisitioning and Acquisition of Immovable Property Act, 1952, and, in relation to the State of Delhi, includes any premises or land belonging to any municipality in Delhi or any land belonging to the Improvement Trust, Delhi, whether such land is in the possession of, or leased out by, the Improvement Trust.

(3) In section 3, for the words “the premises” wherever they occur, the words “the Government premises” shall be substituted.

(4) For section 4, the following section shall be substituted, namely:—

“4. *Power to recover rent or damages in respect of Government premises as arrears of land revenue.*—(1) Subject to any rules that may be made in this behalf by the Central Government, by notification in the Official Gazette, any sum due by way of rent in respect of any Government premises which is in arrear may be recovered by the competent authority from the person liable to pay the same in the same manner as an arrear of land revenue.

(2) Where any person is in unauthorised occupation of any Government premises, the competent authority may, in the prescribed manner, assess such damages on account of the use and occupation of the Government premises as it thinks fit and may, by notice served by post or in such other manner, as may be prescribed by rules made in this behalf, order that person to pay the damages within such time as may be specified in the notice.

(3) If any person refuses or fails to pay the damage within the time specified in the notice under sub-section (2), the damages may be recovered in the same manner as an arrear of land revenue.”

(5) In sub-section (2) of section 10—

(i) after clause (b), the following clause shall be inserted, namely:—

“(bb) the circumstances under which rent in respect of Government premises may be recovered as an arrear of land revenue;”;

(ii) to clause (c), the words “and the matters which may be taken into account in assessing such damages” shall be inserted;

(iii) after clause (c), the following clause shall be inserted, namely:—

“(cc) the manner of service of any notice under this Act;”.

The following Bills were introduced in Parliament on the 21st February, 1952:—

BILL* No. 26 OF 1952

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the year ending on the 31st day of March, 1952.

BE it enacted by Parliament as follows :—

1. Short title.—This Act may be called the Appropriation Act, 1952.

2. Issue of Rs. 93,23,53,000 out of the Consolidated Fund of India for the year 1951-52.—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of ninety-three crores, twenty-three lakhs and fifty-three thousand rupees towards defraying the several charges which will come in course of payment during the year ending on the 31st day of March, 1952, in respect of the services specified in column 2 of the Schedule.

3. Appropriation.—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the 31st day of March, 1952.

SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
1	Ministry of Commerce and Industry .	3,25,000	..	3,25,000
3	Commercial Intelligence and Statistics .	50,000	..	50,000
5	Indian Posts and Telegraphs Department (including working expenses).	..	3,70,000	3,70,000
7	Overseas Communications Service . .	8,32,000	..	8,32,000
10	Defence Services—Effective—Army .	10,85,02,000	..	10,85,02,000
18	Ministry of External Affairs . . .	6,02,000	..	6,02,000
19	Tribal Areas	14,42,000	..	14,42,000
20	External Affairs	8,23,000	..	8,23,000
22	Customs	11,37,000	..	11,37,000

*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to Parliament the introduction and consideration of the Bill.

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
23	Union Excise Duties	2,03,14,000	..	2,03,14,000
26	Stamps	4,06,000	14,000	4,20,000
27	Payments to other Governments, Depart- ments, etc.	8,27,000	..	8,27,000
29	Joint Stock Companies	58,000	..	58,000
30	Miscellaneous Departments	1,000	..	1,000
31	Currency	23,38,000	28,000	23,66,000
33	Superannuation Allowances and Pen- sions.	27,50,000	..	27,50,000
34	Miscellaneous	24,33,000	..	24,33,000
35	Grants-in-aid to States	25,00,000	..	25,00,000
36	Miscellaneous Adjustments between the Union and State Governments.	20,000	..	20,000
42	Survey of India	3,24,000	..	3,24,000
43	Botanical Survey	11,000	..	11,000
45	Agriculture	54,77,000	..	54,77,000
46	Civil Veterinary Services	1,000	..	1,000
57	Ajmer	40,78,000	..	40,78,000
60	Broadcasting	1,22,000	..	1,22,000
64	Ministry of Natural Resources and Scienti- fic Research.	48,000	..	48,000
73	Territorial and Political Pensions . . . . .	..	14,41,000	14,41,000
74	Kutch	5,31,000	..	5,31,000
78	Vindhya Pradesh	7,46,000	..	7,46,000
79	Manipur	60,000	..	60,000
80	Tripura	1,06,000	..	1,06,000
81	Relations with States	2,11,000	..	2,11,000
84	Lighthouses and Lightships	1,50,000	..	1,50,000
87	Ministry of Works, Production and Supply	1,000	..	1,000
88	Supplies	32,43,000	..	32,43,000

1	2	3		
		Sums not exceeding		
No of Vote	Services and purposes	Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
91	Stationery and Printing	88,00,000	..	88,00,000
91-A	Stamps Cancellling and Printing Ink Manu- facturing Factory.	2,90,000	..	2,90,000
	Charged—Staff, Household and Allowances of the President.	..	69,000	69,000
	Charged—Union Public Service Commis- sion.	..	52,000	52,000
96	Defence Capital Outlay	3,18,15,000	..	3,18,15,000
98	Capital Outlay on Industrial Develop- ment.	1,000	..	1,000
101	Commuted Value of Pensions	59,51,000	..	59,51,000
103	Capital Outlay on the Schemes of Govern- ment Trading.	1,000	..	1,000
103-A	Transfer of the sale proceeds of American loan wheat to the Special Development Fund.	71,00,00,000	..	71,00,00,000
104	Capital Outlay on Development	1,30,52,000	..	1,30,52,000
105	Loans and Advances by Central Govern- ment.	..	..	..
	TOTAL	93,03,79,000	19,74,000	93,23,53,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with Article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the Supplementary expenditure charged on the Consolidated Fund and the grants made by Parliament for expenditure of the Central Government, excluding Railways, for 1951-52.

MAHAVIR TYAGI.

NEW DELHI ;

The 11th February, 1952.

BILL* No. 14 OF 1952

1 Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the year ending on the 31st day of March, 1952, for the purposes of Railways.

Be it enacted by Parliament as follows —

1. Short title.—This Act may be called the Appropriation (Railways) Act, 1952.

2. Issue of Rs. 7,69,24,000 out of the Consolidated Fund of India for the year 1951-52.—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seven crores, sixty-nine lakhs and twenty-four thousand rupees towards defraying the several charges which will come in course of payment during the year ending on the 31st day of March, 1952, in respect of the services relating to railways specified in column 2 of the Schedule.

3. Appropriation.—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year ending on the 31st day of March, 1952.

SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	TOTAL
		Rs.	Rs.	Rs.
4	Working Expenses—Administration .	22,27,000	..	22,27,000
5	Working Expenses—Repairs and Maintenance.	1,47,07,000	..	1,47,07,000
6	Working Expenses—Operating Staff .	41,14,000	..	41,14,000
7	Working Expenses—Operation (Fuel).	1,29,88,000	..	1,29,88,000
8	Working Expenses—Operation (other than Staff and Fuel).	1,42,38,000	..	1,42,38,000
9A	Working Expenses—Labour Welfare .	22,37,000	..	22,37,000
17	Open Line Works—Replacements .	2,64,13,000	..	2,64,13,000
	GRAND TOTAL .	7,69,24,000	.	7,69,24,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the Supplementary grants made by Parliament for expenditure of the Central Government on Railways for 1951-52.

N. GOPALASWAMI AYYANGAR.

NEW DELHI;

The 5th February, 1952.

*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to Parliament the introduction and consideration of the Bill.

The following Bill was introduced in Parliament on the 22nd February, 1952:—

BILL* No. 24 OF 1952

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Punjab for the service of the period of four months beginning on the 1st day of April, 1952.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Punjab Appropriation (Vote on Account) Act, 1952.

2. Withdrawal of Rs. 18,24,41,000 from and out of the Consolidated Fund of the State of Punjab for the year 1952-53.—From and out of the Consolidated Fund of the State of Punjab there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of eighteen crores, twenty-four lakhs and forty-one thousand rupees towards defraying the several charges which will come in course of payment during the period of four months beginning on the 1st day of April, 1952.

3. Appropriation.—The sums authorised to be withdrawn from and out of the Consolidated Fund by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said period.

SCHEDULE

(See sections 2 and 3)

1 No. of vote	2 Services and purposes	3		
		Sums not exceeding		Total
		Voted by Parliament	Charged on the Consoli- dated Fund	
		Rs.	Rs.	Rs.
1	7.—Land Revenue	16,08,000	..	16,08,000
2	8.—State Excise Duties	2,57,000	..	2,57,000
3	9.—Stamps	42,000	..	42,000
4	10.—Forests	12,70,000	..	12,70,000
5	11.—Registration	7,000	..	7,000
6	12.—Charges on account of Motor Vehicles Acts	4,88,000	..	4,88,000
	13.—Other Taxes and Duties			
	XVII.—Irrigation—Working Expenses			
7	17.—Interest on Irrigation Works for which Capital Accounts are kept	36,75,000	..	36,75,000
	18.—Other Irrigation Expenditure financed from Ordinary Revenues			
8	Irrigation—Establishment Charges	31,72,000	..	31,72,000
	19.—Construction of Irrigation Works financed from Ordinary Revenues			
9	68.—Construction of Irrigation Works (Capital Expenditure)	1,18,92,000	..	1,18,92,000

*The President has, in pursuance of clauses (1) and (3) of article 207 of the Constitution of India, recommended to Parliament the introduction and consideration of the Bill.

1	2	3		
No. of vote	Services and purposes	Sums not exceeding		Total
		Voted by Parliament	Charged on the Consolidated Fund	
		Rs.	Rs.	Rs.
	22.—Interest on Debt and other Obligations	..	12,14,000	12,14,000
	23.—Appropriation for Reduction or Avoidance of Debt			
10	25.—General Administration	48,15,000	2,35,000	51,50,000
11	27.—Administration of Justice	10,27,000	3,11,000	13,38,000
12	28.—Jails and Convict Settlements	14,12,000	..	14,12,000
13	29.—Police	86,30,000	..	86,30,000
	36.—Scientific Departments			
	47.—Miscellaneous Departments			
14	02.—Miscellaneous adjustments between the Central and Provincial Governments.	1,87,000	..	1,87,000
15	37.—Education	55,77,000	..	55,77,000
16	38.—Medical	22,09,000	..	22,09,000
	39.—Public Health			
17	40.—Agriculture	15,30,000	..	15,30,000
18	41.—Veterinary	6,80,000	..	6,80,000
19	42.—Co-operation	4,79,000	..	4,79,000
20	43.—Industries	7,00,000	..	7,00,000
	43-A.—Capital Outlay on Industrial Development			
21	72.—Capital Outlay on Industrial Development	30,000	..	30,000
22	50.—Civil Works	20,00,000	30,000	20,30,000
23	Buildings and Roads—Establishment Charges	10,00,000	..	10,00,000
	52.—Interest on Capital Outlay on Electricity Schemes			
24	XLI.—Electricity Schemes—Working Expenses	7,36,000	..	7,36,000
	XLI-A.—Multipurpose River Schemes—Working Expenses			
25	Charges on Electricity Establishment and Miscellaneous Expenditure	8,00,000	..	8,00,000
26	80-A.—Multi-purpose River Schemes	4,50,10,000	..	4,50,10,000
	50-A.—Capital Outlay on Civil Works met out of Extraordinary Receipts			
27	81.—Capital Account of Civil Works outside the Revenue Account	73,63,000	..	73,63,000
	53.—Capital Outlay on Electricity Schemes met out of Revenue			
28	81-A.—Capital Outlay on Electricity Schemes (outside the Revenue Account)	23,85,000	..	23,85,000
29	54.—Famine	40,000	..	40,000
	54-A.—Territorial and Political Pensions			
	54-B.—Privy Purses and Allowances of Indian Rulers	16,61,000	39,000	17,00,000
30	55.—Superannuation Allowances and Pensions			

1	2	3		
No. of vote	Services and purposes	Sums not exceeding		Total
		Voted by Parliament	Charged on the Consolidated Fund	
		Rs.	Rs.	Rs.
31	55.A.—Commutation of Pensions financed from Ordinary Revenues	1,58,000	42,000	2,00,000
	83.—Payments of Commuted Value of Pensions (Capital Expenditure)			
32	56.—Stationery and Printing	12,25,000	..	12,25,000
33	57.—Miscellaneous	53,34,000	..	53,34,000
34	63.—Extraordinary Charges	14,000	..	14,000
35	64.C.—Prepartition Payments	6,66,000	..	6,66,000
36	71.—Capital Outlay on Schemes of Agricultural Improvement and Research	3,00,000	..	3,00,000
37	82.—Capital Account of Other Provincial Works outside the Revenue Account	3,68,000	..	3,68,000
38	85 A.—Capital Outlay on Provincial Schemes of State Trading	5,91,53,000	..	5,91,53,000
39	85.B.—Transfer to the Contingency Fund	..	..	..
	Advances not bearing interest— Advances Repayable	61,000	..	61,000
40	Loans and Advances bearing interest— Loans to Municipalities, Advances to Cultivators, etc.	25,00,000	..	25,00,000
	Loans to Government Servants	..	..	..
	Public Debt	..	..	..
	GRAND TOTAL	18,05,70,000	18,71,000	18,24,41,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of articles 204(1) and 206 of the Constitution read with the Proclamation issued by the President in exercise of powers conferred on him by article 856 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Punjab of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by Parliament in respect of the estimated expenditure of the Government of Punjab for a part of the financial year 1952-53

MAHAVIR TYAGI.

NEW DELHI;

The 9th February, 1952.

The following Bill was introduced in Parliament on the 26th February, 1952:—

BILL* No. 25 OF 1952

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the service of the year beginning on the 1st day of April, 1952.

Enacted by Parliament as follows:—

1. Short title.—This Act may be called the Appropriation (Railways) Vote on Account Act, 1952

2. Withdrawal of Rs. 94,93,60,000 from and out of the Consolidated Fund of India for the year 1952-53.—From and out of the Consolidated Fund of India there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of ninety-four crores, ninety-three lakhs and sixty thousand rupees towards defraying the several charges which will come in course of payment during the year beginning on the 1st day of April, 1952.

3. Appropriation.—The sums authorised to be withdrawn from and out of the Consolidated Fund by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the year beginning on the 1st day of April, 1952.

SCHEDULE

(See sections 2 and 3)

1	2	3		
		Sums not exceeding		Total
		Voted by Parliament	Charged on the Consolidated Fund	
No. of Vote	Services and purposes	Rs.	Rs.	Rs.
1	Railway Board	11,00,000	..	11,00,000
2	Audit	11,64,000	..	11,64,000
3	Miscellaneous Expenditure	23,79,000	..	23,79,000
4	Working Expenses—Administration.	8,55,54,000	..	8,55,54,000
5	Working Expenses—Repairs and Maintenance	21,40,64,000	..	21,40,64,000
6	Working Expenses—Operating Staff	13,68,72,000	..	13,68,72,000
7	Working Expenses—Operation (Fuel)	11,33,12,000	..	11,33,12,000
8	Working Expenses—Operation other than Staff and Fuel	4,71,11,000	..	4,71,11,000
9	Working Expenses—Miscellaneous Expenses	6,59,34,000	..	6,59,34,000

*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to Parliament the introduction and consideration of the Bill.

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		Total
		Voted by Parliament	Charged on the Consolidated Fund	
		Rs.	Rs.	Rs.
9A.	Working Expenses—Labour Welfare	1,28,20,000	..	1,28,20,000
10	Payments to Indian States and Companies	10,52,000	..	10,52,000
12A.	Open Line Works (Revenue) Labour Welfare	50,84,000	..	50,84,000
12B.	Open Line Works (Revenue) other than Labour Welfare	1,31,86,000	..	1,31,86,000
15	Construction of New Lines	17,14,000	..	17,14,000
16	Open Line Works—Additions	4,36,78,000	..	4,36,78,000
17	Open Line Works—Replacements	16,90,51,000	..	16,90,51,000
18	Open Line Works—Development Fund	3,46,68,000	..	3,46,68,000
19	Capital Outlay on Vizagapatam Port	6,17,000	..	6,17,000
	TOTAL	94,93,60,000	..	94,93,60,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of Article 114(1) of the Constitution of India, read with Article 116 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by Parliament in respect of the estimated expenditure of the Central Government on Railways, for a part of the financial year 1952-53.

N. GOPALASWAMI.

NEW DELHI;

The 13th February, 1952.

M. N. KAUL,
Secretary.